

TENTH DAY.

(Thursday, June 20, 1929.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Land.
Acker.	Lee.
Ackerman.	Lemens.
Adkins.	Long of Houston.
Albritton.	Loy.
Anderson.	Mankin.
Avis.	Marks.
Baker.	Martin.
Barnett.	Mauritz.
Beck.	McCombs.
Bond.	McGill.
Bounds.	McKean.
Brice.	Mehl.
Brooks.	Metcalfe.
Carpenter.	Minor.
Chastain.	Montgomery.
Coltrin.	Moore.
Conway.	Morse.
Cox of Navarro.	Mosely.
Cox of Lamar.	Mullally.
Cox of Limestone.	Murphy.
Davis.	Negley.
DeWolfe.	O'Neill.
Enderby.	Palmer.
Ewing.	Pavlica.
Eickenroht.	Pool.
Finn.	Pope of Jones.
Finlay.	Pope of Nueces.
Forbes.	Quinn.
Gates.	Ray.
Gerron.	Renfro.
Gilbert.	Richardson.
Giles.	Rountree.
Graves of Erath.	Sanders.
Hardy.	Savage.
Harding.	Sherrill.
Harman.	Shipman.
Harper.	Simmons.
Harrison.	Sinks.
Heaton.	Snelgrove.
Hines.	Speck.
Hogg.	Stephens.
Holder.	Stevenson.
Hopkins.	Storey.
Hubbard.	Strong.
Johnson	Tarwater.
of Dimmit.	Thompson.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Keeton.	Veatch.
Keller.	Wallace.
Kennedy.	Walters.
Kincaid.	Warwick.
King.	Webb.
Kinnear.	White.

Williams
of Hardin.
Williams
of Travis.

Woodall.
Woodruff.
Young.

Absent.

Baldwin.	Long of Wichita.
Duvall.	Nicholson.
Graves	Olsen.
of Williamson.	Purl.
Hefley.	Smith.
Hornaday.	Waddell.

Absent—Excused.

Bateman.	Petsch.
Bradley.	Prendergast.
Dunlap.	Reader.
Fuchs.	Reid.
Jenkins.	Rogers.
Kayton.	Shaver.
Kemble.	Shelton.
Kenyon.	Westbrook.
Maynard.	Wiggs.
McDonald.	Williams
Patterson.	of Sabine.

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Shelton and Mr. Wiggs for today, on motion of Mr. Kincaid.

Mr. Reader for today, on motion of Mr. Olsen.

Mr. Fuchs for today, on motion of Mr. Finn.

Mr. Kemble for today and the balance of the week, on motion of Mr. Morse.

Mr. Shaver for today, on motion of Mr. Morse.

Mr. Prendergast for today and the balance of the week, on motion of Mr. Hines.

Mr. Petsch for today, on motion of Mr. Johnson of Dimmit.

Mr. Bradley for today, on motion of Mr. Hardy.

Mr. McDonald for today, on motion of Mr. Gerron.

Mr. Dunlap for today, on motion of Mr. Storey.

Mr. Rogers for today and tomorrow, on motion of Mr. Coltrin.

Mr. Maynard for today, on motion of Mr. Rountree.

Mr. Kayton for today, an motion of Mr. Anderson.

Mr. Bateman for today and the balance of the week, on motion of Mr. Richardson.

Mr. Reid for today, on motion of Mr. Shipman.

Mr. Westbrook for last Tuesday and today, on motion of Mr. Harman.

The following members were granted leaves of absence on account of illness:

Mr. Patterson for this week, on motion of Mr. Hubbard.

Mr. Jenkins for today and the balance of the week, on motion of Mr. Ackerman.

Mr. Williams of Sabine for today and the balance of the week on account of sickness in family, on motion of Mr. Renfro.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Barnett:

H. B. No. 191, A bill to be entitled "An Act providing better provision for the State contracts for printing the laws and resolutions of the Legislature, and declaring an emergency."

Referred to Committee on Public Printing.

By Mr. Pool, Mr. McGill and Mr. Harrison:

H. B. No. 192, A bill to be entitled "An Act to provide for the extension of the terms of Oil and Gas Lease No. 9716, covering Survey No. 8; No. 9717, covering Survey No. 17; No. 9726, covering Survey No. 29; No. 9718, covering Survey No. 20, in so far as said lease shall apply to and affect the east half of said survey; and No. 9683, covering Survey No. 30, in so far as said lease affects and applies to the south half of said survey; all of said surveys being on and a part of Block E, University lands, Hudspeth county, Texas, and Lease No. 9685, covering Survey No. 2; 9686, covering Survey No. 11; No. 9689, covering Survey No. 14; No. 9692, covering Survey No. 25, and No. 9691, covering Survey No. 24, in so far as said lease affects and applies to the west half of said Survey No. 24, these surveys being on and a part of Block F, University lands, Hudspeth county, Texas, from the period term of five years to a period term of six years from their respective dates, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Bradley, Mr. Hogg, Mr. Morse and Mr. Thompson:

H. B. No. 193, A bill to be entitled "An Act to amend Article 7298, Revised Statutes, 1925, and to prevent delinquent taxpayers from pleading statute of limitation by way of defense against the payment of any taxes due from him or her either to the State or any county, city, town, navigation district, drainage district, irrigation district, independent school district and all other districts, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

BILL ORDERED NOT PRINTED.

On motion of Mr. Finlay, House bill No. 165 was ordered not printed.

RELATIVE TO EMPLOYES OF THE STATE DEPARTMENTS.

Mr. Hines offered the following resolution:

Whereas, It is current rumor around this Capitol and throughout the State, that there are a great many employes working or pretending to work in the various offices and departments of this State whose services could be dispensed with without in the least retarding or crippling the work of such office or department; and

Whereas, Rumor also has it throughout this Capitol and the State that a number of employes in various offices and departments are related within the prohibited degree to the State officers and heads of the various departments, for whom they are disqualified to do service on account of relationship, and that an exchange of kinfolks is made by said officers and the heads of said departments, to the end that the work of said departments is carried on by a network of persons related to the other heads of departments, to the exclusion and detriment of many citizens of our State; and

Whereas, It is further rumored that most, if not all, the subordinate positions are filled by relatives of those with a political pull, in the payment of political debts, and the question of merit does not enter into the selection; therefore, be it

Resolved by the House of Representatives, That all State officers and the heads of all departments furnish to this House, not later than Friday, June 28th, given under their respective oaths, duly administered, the following information:

First. How many employes do you have in your office as clerical help and the duties of each and how many hours per day they actually work and the average price paid to each?

Second. Are any of the employes in your office or department related by blood or marriage within the third degree to any State officer or head of any other department. If so, name such persons and also the name of such relative.

Third. How many employes do you actually need in your office or department and what number have you whose services could be dispensed with without retarding or crippling the service? Are any of your relatives by affinity or consanguinity within the third degree employed in any other office or department? If so, name them and further state whether or not you solicited such employment for them or had anything to do therewith. Also state what person or persons in your department select or have a voice in the selection of the subordinate employes in your department.

Fourth. Are you now, or have you heretofore, employed or agreed to the employment of any person or persons in payment of a political debt?

Signed—Hines, Prendergast, Bond, Quinn, Kennedy, Cox of Navarro, White, Finlay, Carpenter, Johnson, Jones, Land, Pope of Nueces, Mankin, Chastain, Woodruff, Hefley, Olsen.

The resolution was read second time and was adopted.

RELATIVE TO USE OF STATE DEPARTMENTS.

Mr. Eickenroht offered the following resolution:

Whereas, Complaints are, and for some time have been, filtering through that State department heads, assisted by their employes, have acclimated themselves to a policy of letting their offices contrive their political aspirations; and

Whereas, Criticism aimed at department officials and employes has been rampant, attributing to them the consumption of time and money belonging to the taxpayers of Texas for the creation of political machines to accelerate personal aggrandizement; therefore, be it

Resolved, That no State official of any State department, receiving any money or salary or remuneration, directly or indirectly, from the appropriations as provided for in House bill

No. 3, shall use any office of any of the State office buildings, or any space therein, as a rendezvous or headquarters for the promulgation of a political campaign, and that no State employe while drawing a salary from said appropriation shall devote any of his time belonging to the State designed to promote political aggrandizement of any individual, and provided, further, that no State official or employe who shall use any State-owned automobile, or any free pass on any railroad or bus transportation system in the promotion of anyone's political campaign shall be permitted to draw any of these funds herein appropriated as either salary or traveling expenses.

The resolution was read second time.

On motion of Mr. McGill, the resolution was referred to the Committee on State Affairs.

RELATING TO TRAFFIC THROUGH CAPITOL GROUNDS.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 10, Relative to traffic in Capitol grounds.

Whereas, the streets traversing the Capitol grounds were constructed for use of private individuals,—citizens and tourists; and

Whereas, Said streets were not constructed for extra heavy traffic; and

Whereas, Traffic on said streets is unusually heavy and at times seriously congested because of the large number of privately-owned automobiles passing through said Capitol grounds; and

Whereas, The said Capitol ground streets are now being used by a transportation company, receiving and discharging passengers, at frequent intervals, which further congests traffic on said streets; and

Whereas, The said transportation company is using said streets without authority of any official body or individual; therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Board of Control be and is hereby directed to request the said transportation company to discontinue use of the Capitol ground streets for any purpose whatsoever; be it further

Resolved, That it is the sense of the body that the said transportation company can receive and discharge passengers at the gate of the Capitol grounds and thus render the same serv-

ice as rendered by use of the Capitol streets; be it further

Resolved, That it is also the sense of the body that heavily-loaded commercial trucks, busses and commercial vehicles of all kinds be denied the use of the Capitol grounds streets, and the Board of Control is hereby further directed to prevent such use of said streets.

The resolution was read second time.

On motion of Mr. Keller, the resolution was referred to the Committee on State Affairs.

GRANTING W. R. CHAPMAN LEAVE OF ABSENCE FROM STATE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 12, Granting permission to Honorable W. R. Chapman, district judge, to leave the State during the month of August.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That W. R. Chapman, Judge of the District Court of the One Hundred and Fourth Judicial District of Texas, be and he is hereby granted permission to leave the State and be absent from the State during the month of August, 1929.

The resolution was read second time and was adopted.

ADDRESS BY COLONEL ASHLEY CROCKETT.

Mr. Long of Houston offered the following resolution:

Whereas, We have sitting in the gallery of the House of Representatives the grandson of one of our bravest and noblest Texas heroes, Colonel Ashley Crockett, a citizen of Texas and a grandson of Colonel Davy Crockett, a martyr of the Alamo; therefore, be it

Resolved, That the House of Representatives invite Colonel Crockett to address it at this hour.

Signed—Long of Houston, Keller, Gates, Storey, Cox of Lamar, Cox of Navarro, Van Zandt, Thompson, White, Hogg, Harrison, Woodall, Palmer, Murphy, Turner, King, Wallace, Duvall, Graves of Erath, Justiss.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Colonel Crockett to the Speaker's stand:

Messrs. Long of Houston, Keller, Gates, Storey, Justiss, Cox of Lamar,

Cox of Navarro, Van Zandt, Thompson, White, Hogg, Harrison, Woodall, Graves of Erath, King, Wallace, Palmer, Murphy, Turner, Duvall.

The committee having performed their duty, Speaker Barron presented Colonel Thompson of Harris county, who introduced Judge Aldridge to the House.

Judge Aldridge then addressed the House and introduced Colonel Ashley Crockett, who addressed the House.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 5 WITHDRAWN.

Mr. Wallace, by unanimous consent of the House, withdrew the conference committee report on House bill No. 5 from further consideration by the House.

HOUSE BILL NO. 6 ON SECOND READING.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act imposing an excise tax on motor fuels as defined herein, including all fuels ordinarily, practically and commercially usable in internal combustion engines for the generation of power, sold, distributed or used in this State by distributors, as defined, with certain exceptions, including crude oil, fuel oil and kerosene, and exempting motor fuels distributed or sold to and used by the United States government; requiring distributors to file applications and obtain permits before engaging in the use, sale and distribution of motor fuels as distributors, and the time and manner of procuring the same, etc., and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Montgomery, pending.

The House, by unanimous consent, agreed to allow the pending amendment to be amended after it has been acted on by the House.

(Pending consideration of the amendment, Mr. Hopkins occupied the chair temporarily.)

(Mr. Johnson of Dimmit in the chair.)

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 20, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed

S. B. No. 102, A bill to be entitled "An Act fixing the salary of the official court reporters in each judicial district composed of one county only, and in which county there is only one district court, etc., and declaring an emergency."

H. B. No. 43, A bill to be entitled "An Act to amend Article 6221, of Title 109, of the Revised Civil Statutes of 1925, and amended by Chapter 153 of the General Laws of the Regular Session of the Forty-first Legislature, repealing Article 6222a of said chapter and all other laws in conflict herewith, and declaring an emergency," with amendment.

H. B. No. 112, A bill to be entitled "An Act making an appropriation for the benefit of Slocum Consolidated School District No. 5, of Anderson county, on account of the recent destruction of the school buildings and property in the territory now composing said district; directing the expenditure of said money, and declaring an emergency."

H. B. No. 113, A bill to be entitled "An Act to amend Section 4, of Chapter 31, of the General and Special Laws of the State of Texas, passed by the Fortieth Legislature at its First Called Session, the same being a special road law for Robertson county, said Section 4 authorizing the commissioners court to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and levy a tax in payment thereof, and declaring an emergency."

H. B. No. 89, A bill to be entitled "An Act to amend Chapter 105, of the Local and Special Laws passed in the Regular Session of the Thirty-ninth Legislature, which act amended the then existing special road law of San Jacinto county, Texas, making provision for the refunding of indebtedness incurred by said bill for road and bridge purposes; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 102, A bill to be entitled "An Act amending Article 7047, of the Revised Civil Statutes of Texas, 1925, by adding a new section thereto, to be known as Section 40, so as to provide an occupation tax upon emigrant agents, defining 'emigrant agents'; providing manner of payment of tax; repealing House bill No. 207, passed by the First Called Session of the Forty-first Legislature of Texas and approved

by the Governor of Texas May 17, 1929, and declaring an emergency," with amendment.

H. B. No. 138, A bill to be entitled "An Act fixing the fees and salary of the official shorthand reporters of the county courts at law in any county having a population of not less than 202,000 and not more than 203,000, according to the latest Federal census, and providing the manner of its payment, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RECESS.

Mr. Purl moved that the House recess to 2 o'clock p. m. today.

Mr. Quinn moved that the House recess to 1:30 o'clock p. m. today.

Question recurring on the motion by Mr. Purl, it prevailed, and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

Mr. Holder moved that the House do now resolve itself into a Committee of the Whole House for the purpose of considering charges filed against the Commissioner of the General Land Office.

Mr. Tillotson moved that the House resolve itself into a Committee of the Whole House at 3 o'clock p. m. today.

The roll was called on the motion by Mr. Tillotson and developed the fact that there was not a quorum present.

Mr. Quinn moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was again called, and a quorum was announced present.

Mr. Hardy then moved to table the motion by Mr. Tillotson.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—45.

Adkins.	Kennedy.
Albritton.	Kincaid.
Baker.	King.
Barnett.	Kinnear.
Bond.	Long of Houston.
Chastain.	Long of Wichita.
Coltrin.	Mankin.
Cox of Lamar.	Marks.
Cox of Limestone.	Metcalf.
Davis.	Nicholson.
Enderby.	Palmer.
Ewing.	Pope of Nueces.
Forbes.	Quinn.
Gates.	Shipman.
Gerron.	Snelgrove.
Graves of Erath.	Stephens.
Hardy.	Stevenson.
Harper.	Turner.
Harrison.	Veatch.
Hines.	Williams
Holder.	of Hardin.
Johnson of Smith.	Woodruff.
Johnson of Scurry.	Young.

Nays—56.

Mr. Speaker.	Minor.
Avis.	Montgomery.
Beck.	Moore.
Bounds.	Morse.
Brice.	Mosely.
Carpenter.	Negley.
Conway.	Olsen.
DeWolfe.	Pool.
Duvall.	Pope of Jones.
Eickenroht.	Purl.
Finn.	Ray.
Finlay.	Richardson.
Gilbert.	Sanders.
Giles.	Sherrill.
Harman.	Simmons.
Heaton.	Sinks.
Hogg.	Storey.
Hubbard.	Strong.
Johnson	Tarwater.
of Dimmit.	Thompson.
Justiss.	Tillotson.
Keller.	Van Zandt.
Kenyon.	Wallace.
Land.	Walters.
Lee.	Warwick.
Martin.	White.
Mauritz.	Williams
McCombs.	of Travis.
McGill.	Woodall.
Mehl.	

Absent.

Acker.	Graves
Ackerman.	of Williamson.
Anderson.	Harding.
Baldwin.	Hefley.
Brooks.	Hopkins.
Cox of Navarro.	Hornaday.

Jones.	Renfro.
Keeton.	Rountree.
Lemens.	Savage.
Loy.	Smith.
McKean.	Speck.
Mullally.	Thurmond.
Murphy.	Waddell.
O'Neill.	Webb.
Pavlica.	

Absent—Excused.

Bateman.	Prendergast.
Bradley.	Reader.
Dunlap.	Reid.
Fuchs.	Rogers.
Jenkins.	Shaver.
Kayton.	Shelton.
Kemble.	Westbrook.
Maynard.	Wiggs.
McDonald.	Williams
Patterson.	of Sabine.
Petsch.	

Question then recurring on the motion by Mr. Tillotson that the House resolve itself into a Committee of the Whole House at 3 o'clock p. m. today, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—61.

Mr. Speaker.	McCombs.
Acker.	McGill.
Ackerman.	McKean.
Adkins.	Mehl.
Avis.	Metcalf.
Beck.	Minor.
Bounds.	Montgomery.
Brice.	Moore.
Carpenter.	Morse.
Conway.	Mosely.
DeWolfe.	Negley.
Enderby.	Pool.
Ewing.	Pope of Jones.
Finn.	Purl.
Finlay.	Ray.
Gilbert.	Sanders.
Giles.	Sherrill.
Harman.	Simmons.
Harper.	Sinks.
Harrison.	Storey.
Hines.	Strong.
Hogg.	Tarwater.
Hubbard.	Thompson.
Johnson	Tillotson.
of Dimmit.	Van Zandt.
Justiss.	Wallace.
Kenyon.	Walters.
Land.	Warwick.
Lee.	White.
Marks.	Williams
Martin.	of Travis.
Mauritz.	Young.

Nays—41.

Albritton.	King.
Barnett.	Kinnear.
Bond.	Long of Houston.
Chastain.	Long of Wichita.
Coltrin.	Mankin.
Cox of Lamar.	Nicholson.
Cox of Limestone.	Olsen.
Davis.	Palmer.
Duvall.	Pope of Nueces.
Eickenroht.	Quinn.
Forbes.	Richardson.
Gates.	Shipman.
Gerron.	Snelgrove.
Graves of Erath.	Stephens.
Hardy.	Stevenson.
Heaton.	Turner.
Holder.	Veatch.
Johnson of Scurry.	Williams
Keller.	of Hardin.
Kennedy.	Woodall.
Kincaid.	Woodruff.

Absent.

Anderson.	Lemens.
Baker.	Loy.
Baldwin.	Mullally.
Brooks.	Murphy.
Cox of Navarro.	O'Neill.
Graves	Pavlica.
of Williamson.	Renfro.
Harding.	Rountree.
Hefley.	Savage.
Hopkins.	Smith.
Hornaday.	Speck.
Johnson of Smith.	Thurmond.
Jones.	Waddell.
Keeton.	Webb.

Absent—Excused.

Bateman.	Prendergast.
Bradley.	Reader.
Dunlap.	Reid.
Fuchs.	Rogers.
Jenkins.	Shaver.
Kayton.	Shelton.
Kemble.	Westbrook.
Maynard.	Wiggs.
McDonald.	Williams
Patterson.	of Sabine.
Petsch.	

HOUSE BILL NO. 43, WITH SENATE AMENDMENTS.

Mr. Acker called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 43, A bill to be entitled "An Act to amend Article 6221, of Title 109, of the Revised Civil Statutes of 1925, as amended by Chapter 153, of the General Laws of the Regular Session of the Forty-first Legislature, repealing Article 6222a of said chapter

and all other laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Acker, the House concurred in the Senate amendments by the following vote:

Yeas—102.

Mr. Speaker.	Long of Houston.
Acker.	Long of Wichita.
Ackerman.	Mankin.
Adkins.	Marks.
Albritton.	Mauritz.
Avis.	McCombs.
Baker.	McGill.
Barnett.	McKean.
Beck.	Mehl.
Bond.	Metcalf.
Bounds.	Minor.
Brice.	Montgomery.
Carpenter.	Moore.
Chastain.	Morse.
Coltrin.	Mosely.
Conway.	Negley.
Cox of Lamar.	Olsen.
Cox of Limestone.	Palmer.
Davis.	Pool.
DeWolfe.	Pope of Jones.
Duvall.	Pope of Nueces.
Enderby.	Purl.
Ewing.	Quinn.
Finn.	Ray.
Finlay.	Richardson.
Forbes.	Rountree.
Gates.	Sanders.
Gerron.	Sherrill.
Gilbert.	Shipman.
Giles.	Simmons.
Graves of Erath.	Sinks.
Hardy.	Snelgrove.
Harman.	Stephens.
Harper.	Stevenson.
Harrison.	Storey.
Heaton.	Strong.
Hogg.	Tarwater.
Holder.	Thompson.
Hopkins.	Tillotson.
Hubbard.	Turner.
Johnson	Van Zandt.
of Dimmit.	Veatch.
Johnson of Smith.	Wallace.
Johnson of Scurry.	Walters.
Justiss.	Warwick.
Keller.	White.
Kennedy.	Williams
Kenyon.	of Hardin.
Kincaid.	Williams
King.	of Travis.
Kinnear.	Woodall.
Land.	Woodruff.
Lee.	Young.

Nays—1.

Eickenroht.

Absent.

Anderson.	Martin.
Baldwin.	Mullally.
Brooks.	Murphy.
Cox of Navarro.	Nicholson.
Graves	O'Neill.
of Williamson.	Pavlica.
Harding.	Renfro.
Hefley.	Savage.
Hines.	Smith.
Hornaday.	Speck.
Jones.	Thurmond.
Keeton.	Waddell.
Lemens.	Webb.
Loy.	

Absent—Excused.

Bateman.	Prendergast.
Bradley.	Reader.
Dunlap.	Reid.
Fuchs.	Rogers.
Jenkins.	Shaver.
Kayton.	Shelton.
Kemble.	Westbrook.
Maynard.	Wiggs.
McDonald.	Williams
Patterson.	of Sabine.
Petsch.	

HOUSE BILL NO. 6 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 6, relative to placing a tax on the sale of gasoline, the bill having heretofore been read second time, with amendment by Mr. Montgomery, pending.

(Pending consideration of the amendment, Mr. Pope of Jones occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Beck moved the previous question on the pending amendment, and the motion was not seconded.

Mr. McCombs moved to reconsider the vote by which the House agreed to resolve itself into a Committee of the Whole House at 3 o'clock p. m.

The motion to reconsider was lost by the following vote:

Yeas—42.

Ackerman.	Harper.
Adkins.	Harrison.
Baker.	Heaton.
Baldwin.	Hines.
Brice.	Hogg.
Brooks.	Hornaday.
Conway.	Hubbard.
Cox of Navarro.	Johnson
Cox of Limestone.	of Dimmit.
Finn.	Long of Houston.
Gilbert.	Marks.

Martin.	Sanders.
McCombs.	Sherrill.
McGill.	Simmons.
Mehl.	Sinks.
Minor.	Speck.
Montgomery.	Thompson.
Morse.	Van Zandt.
Mosely.	Wallace.
Negley.	Walters.
Palmer.	Warwick.
Pope of Jones.	Williams
Purl.	of Hardin.

Nays—58.

Acker.	King.
Albritton.	Kinnear.
Avis.	Land.
Barnett.	Long of Wichita.
Bond.	Loy.
Bounds.	Mankin.
Carpenter.	McKean.
Chastain.	Metcalfe.
Coltrin.	Moore.
Davis.	Murphy.
Duvall.	Nicholson.
Enderby.	Pavlica.
Ewing.	Pool.
Eickenroht.	Quinn.
Finlay.	Ray.
Forbes.	Richardson.
Gates.	Rountree.
Gerron.	Shipman.
Giles.	Snelgrove.
Hardy.	Stephens.
Harding.	Stevenson.
Harman.	Storey.
Holder.	Strong.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Turner.
Justiss.	Veatch.
Keeton.	Webb.
Keller.	Woodall.
Kennedy.	Woodruff.
Kenyon.	Young.
Kincaid.	

Present—Not Voting.

Tillotson.

Absent.

Anderson.	Mullally.
Beck.	Olsen.
Cox of Lamar.	O'Neill.
DeWolfe.	Pope of Nueces.
Graves	Renfro.
of Williamson.	Savage.
Graves of Erath.	Smith.
Hefley.	Tarwater.
Hopkins.	Waddell.
Jones.	White.
Lee.	Williams
Lemens.	of Travis.
Mauritz.	

Absent—Excused.

Bateman.	Bradley.
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Dunlap.	Reader.
Fuchs.	Reid.
Jenkins.	Rogers.
Kayton.	Shaver.
Kemble.	Shelton.
Maynard.	Westbrook.
McDonald.	Wiggs.
Patterson.	Williams
Petsch.	of Sabine.
Prendergast.	

COMMITTEE OF THE WHOLE HOUSE.

The House then, at 3 o'clock p. m., according to action heretofore taken, resolved itself into a Committee of the Whole House, Mr. Barron being called to the chair.

(In Committee of the Whole House, Mr. Barron in the chair.)

(Pending taking of the testimony, Mr. Chastain occupied the chair temporarily.)

IN THE HOUSE.

(Mr. Barron in the chair.)

At 5:15 o'clock p. m. Mr. Barron, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave to sit again at 9 o'clock a. m. tomorrow.

Mr. Tillotson moved that the report be not adopted, but that the House declare that the Committee may convene at 10:30 o'clock a. m. next Saturday.

Mr. Woodall moved that the House adopt the report.

Mr. Montgomery moved to table the motion by Mr. Woodall.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—38.

Mr. Speaker.	Mauritz.
Ackerman.	McCombs.
Baldwin.	Montgomery.
Beck.	Moore.
Brooks.	Morse.
Conway.	Mosely.
Cox of Navarro.	Negley.
Cox of Limestone.	Olsen.
Finn.	Pool.
Finlay.	Quinn.
Harper.	Renfro.
Hopkins.	Sanders.
Hubbard.	Sherrill.
Johnson	Simmons.
of Dimmit.	Sinks.
Keeton.	Speck.
Keller.	Thompson.
Lee.	Tillotson.

Wallace.	Warwick.
Walters.	
	Nays—64.

Adkins.	Long of Wichita.
Albritton.	Loy.
Avis.	Mankin.
Baker.	McGill.
Barnett.	McKean.
Bond.	Metcalf.
Bounds.	Minor.
Brice.	Mullally.
Carpenter.	Nicholson.
Chastain.	Pavlica.
Coltrin.	Pope of Jones.
Cox of Lamar.	Pope of Nueces.
Davis.	Purl.
DeWolfe.	Ray.
Enderby.	Rountree.
Forbes.	Shipman.
Gates.	Snelgrove.
Gerron.	Stephens.
Giles.	Stevenson.
Graves of Erath.	Storey.
Hardy.	Strong.
Harman.	Tarwater.
Heaton.	Thurmond.
Hines.	Turner.
Holder.	Van Zandt.
Johnson of Smith.	Veatch.
Johnson of Scurry.	Waddell.
Justiss.	Webb.
Kayton.	White.
Kennedy.	Williams
Kincaid.	of Travis.
King.	Woodall.
Kinnear.	Woodruff.
Lemens.	Young.
Long of Houston.	

Present—Not Voting.

Harrison.

Absent.

Acker.	Land.
Anderson.	Marks.
Duvall.	Martin.
Ewing.	Maynard.
Eickenroht.	Mehl.
Fuchs.	Murphy.
Gilbert.	O'Neill.
Graves	Palmer.
of Williamson.	Patterson.
Harding.	Petsch.
Hefley.	Richardson.
Hogg.	Savage.
Hornaday.	Smith.
Jones.	Williams
Kemble.	of Hardin.

Absent—Excused.

Bateman.	Kenyon.
Bradley.	McDonald.
Dunlap.	Prendergast.
Jenkins.	Reader.

Reid.
Rogers.
Shaver.
Shelton.

Westbrook.
Wiggs.
Williams
of Sabine.

Question then recurring on the motion by Mr. Woodall that the report be adopted, it prevailed.

RELATING TO SENATE BILL
NO. 119.

Mr. Morse moved to reconsider the vote by which Senate bill No. 119 was finally passed, and asked to have the motion to reconsider spread on the Journal.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 20, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 17, A bill to be entitled "An Act making better provision for the regulation of the sale and dealings in stocks, bonds and securities in this State, etc., and declaring an emergency."

S. B. No. 52, A bill to be entitled "An Act to authorize H. L. McKee, his heirs, legal representatives and assigns to construct, maintain and operate a toll bridge across Lake Sabine at or near Port Arthur, Texas, etc., and declaring an emergency."

S. B. No. 141, A bill to be entitled "An Act fixing an open season or period of time for hunting, taking or killing wild mourning doves in Archer, Baylor, Clay, Knox, Wichita or Young counties, and making it unlawful to hunt, take or kill same at any other time of the year, etc., and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act amendatory of Articles 2774, 2777, 2808, and 2922e, R. S., 1925, providing for the appointment or election and term of office of school trustees in all independent, consolidated and rural school districts, etc., and declaring an emergency."

S. B. No. 143, A bill to be entitled "An Act fixing the salary of the court reporter in each judicial district in this State containing five counties having a combined population according to the latest United States census of not less than 68,690 and not more than 69,590,

and prescribing the manner of the payment of same, and declaring an emergency."

S. B. No. 144, A bill to be entitled "An Act regulating fishing and the taking of fish and shrimp in certain coastal waters; enacting prohibitions and penalties in connection therewith, and declaring an emergency."

S. B. No. 146, A bill to be entitled "An Act fixing the salary of the court reporter in each judicial district in this State containing four or more counties having a combined population according to the latest United States census of not less than 96,800 and not more than 97,200, etc., and declaring an emergency."

Has reconsidered the vote by which the free conference committee report was adopted on House bill No. 5, and the free conference committee report has been withdrawn by unanimous consent.

Free conference committee report on House bill No. 5 resubmitted and adopted by a viva voce vote.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 43, "An Act to amend Article 6221, of Title 109, of the Revised Civil Statutes of 1925, as amended by Chapter 153, of the General Laws of the Regular Session of the Forty-first Legislature, repealing Article 6222a of said chapter and all other laws in conflict herewith, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 20, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 20, A bill to be entitled "An Act repealing Article 4a and Article 4b, of the Code of Criminal Procedure of the State of Texas, said articles constituting what is known as the Search and Seizure Act passed by the Thirty-ninth Legislature of the State of Texas, and declaring an emergency."

S. B. No. 21, A bill to be entitled

"An Act repealing Article 727a of the Code of Criminal Procedure of the State of Texas, said article constituting what is known as the Evidence Clause of the Search and Seizure Act passed by the Thirty-ninth Legislature of the State of Texas, and declaring an emergency."

S. B. No. 49, A bill to be entitled "An Act providing for the Board of Prison Commissioners to make recommendations to the Legislature of this State regarding the possible concentration and relocation of the prison system of Texas, etc., and declaring an emergency."

S. B. No. 57, A bill to be entitled "An Act amending Article 1723, of the Revised Civil Statutes of 1925, providing for the appointment by the Supreme Court of stenographers for that court, and fixing their salaries, and declaring an emergency."

S. B. No. 121, A bill to be entitled "An Act fixing the compensation of district attorneys in each judicial district composed of two or more counties; prescribing how the same shall be paid, and declaring an emergency."

S. B. No. 124, A bill to be entitled "An Act fixing the compensation of district attorneys in each judicial district in this State containing four or more counties having a combined population, according to the Fourteenth census of the United States of the year 1920, of not less than 104,100 and not more than 104,200; prescribing how the same shall be paid, and declaring an emergency."

S. B. No. 125, A bill to be entitled "An Act reappropriating and extending the appropriation made for the Texas Department of Forestry of the Agricultural and Mechanical College for the purchase of forest land in the long-leaf pine section, etc., and declaring an emergency."

S. B. No. 132, A bill to be entitled "An Act relating to the duties of the county board of education and the county superintendent of counties with an area of 889 square miles and a population of not less than 12,000 nor more than 15,000, according to the last preceding Federal census, etc., and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act amendatory of an act passed at the First Called Session of the Forty-first Legislature, designated as Senate bill No. 62 and filed in the office of the Secretary of State on the 7th day of June, A. D. 1929, authorizing the Board of Regents of the College of Industrial

Arts to make contracts for the erection of dormitories, etc., and declaring an emergency."

S. B. No. 148, A bill to be entitled "An Act amending outstanding State oil and gas permits and leases, etc., and declaring an emergency."

S. B. No. 160, A bill to be entitled "An Act providing for certain compensation of county commissioners in Presidio county in connection with public roads; enacting provisions relating to public roads in said county, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 20, to the Committee on Criminal Jurisprudence.

Senate bill No. 21, to the Committee on Criminal Jurisprudence.

Senate bill No. 49, to the Committee on Penitentiaries.

Senate bill No. 57, to the Committee on State Affairs.

Senate bill No. 121, to the Committee on Judicial Districts.

Senate bill No. 124, to the Committee on Judicial Districts.

Senate bill No. 125, to the Committee on Appropriations.

Senate bill No. 132, to the Committee on Education.

Senate bill No. 138 to the Committee on Education.

Senate bill No. 148, to the Committee on Public Lands and Buildings.

Senate bill No. 160, to the Committee on Counties.

Senate bill No. 52, to the Committee on State Affairs.

Senate bill No. 17, to the Committee on State Affairs.

Senate bill No. 143, to the Committee on Judicial Districts.

Senate bill No. 48, to the Committee on Education.

Senate bill No. 146, to the Committee on Judicial Districts.

Senate bill No. 141, to the Committee on Game and Fisheries.

Senate bill No. 144, to the Committee on Game and Fisheries.

Senate bill No. 102, to the Committee on State Affairs.

ADJOURNMENT.

Mr. Beck moved that the House recess to 8 o'clock p. m. today.

Mr. Holder moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Hardy moved that the House adjourn until 9 o'clock a. m. tomorrow.

The motion of Mr. Hardy prevailed, the the House, accordingly, at 6:10 o'clock p. m., adjourned until 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Counties: House bill No. 175.

Municipal and Private Corporations: Senate bill No. 119, House bill No. 179.

Game and Fisheries: House bills Nos. 165 and 174.

Judiciary: House bills Nos. 169 and 73.

Education: Senate bills Nos. 59, 66, 50, 82, 161, 162, 154, 143, 173, 104 and 166, and House bill No. 156.

The Committee on Education filed a minority favorable report on House bill No. 78.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, June 20, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 43, "An Act to amend Article 6221 of Title 109 of the Revised Civil Statutes of 1925, and amended by Chapter 153 of the General Laws of the Regular Session of the Forty-first Legislature; repealing Article 6222a of said chapter and all other laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

In Memory
of
Hon. R. A. St. John

Mr. Gilbert offered the following resolution:

Whereas, The Angel of Death did, on the fifth day of June, 1929, summon the soul of R. A. St. John from the mortal existence of this life to be and appear before the Celestial Courts above; and

Whereas, The ranks of the Democratic party, Southern chivalry and honor, and the government of our State and Nation, has lost one of its most valiant and courageous defenders, and one who throughout the many years of his eventful life was ever true and faithful to not only party principles and ethics of Southern chivalry and honor, but was a tender father and a noble citizen, loved and respected by the humble and great alike in every walk of life; and

Whereas, He had served our government as Mayor of Cisco, member of the State Democratic Executive Committee, and was appointed to a place of trust by the late President Woodrow Wilson; and

Whereas, He had lived to a ripe old age, and the shadows of his life were falling far toward the eastern horizon, this gallant son fell peacefully to sleep amid the love and esteem of a bereaved and sorrowing people; therefore, be it

Resolved, by the House of Representatives of the State of Texas, That in the passing of R. A. St. John we feel the loss not only to our people, but to our State as well, and realize that with his passing another of the few remaining mighty oaks in the forest of Texas history and development has been felled by the relentless hand of Death. We join with his family and host of mourning friends in tribute to his life and in sorrow for his death; and be it further

Resolved, That a page of the Journal be dedicated to his memory, and a copy of this resolution be sent to his family.

GILBERT,
CHASTAIN,
JUSTISS.

The resolution was read second time, and was adopted by a rising vote.

In Memory
of
Hon. W. D. Cowan

Mr. Finlay offered the following resolution:

Whereas, Hon. W. D. Cowan, a former member of this body, died suddenly at his home in San Saba on June 18; and

Whereas, Mr. Cowan rendered able and conscientious service to the people of Texas as a member of the House of Representatives of the Thirty-fourth Legislature and afterwards as Chief Clerk of the Warehouse and Market Department of the State of Texas, and as Commissioner of that Department, serving also for ten years as secretary to the late James L. Slayden, member of Congress; and

Whereas, As founder and editor of the San Saba Star for twenty-seven years, he took an intelligent and patriotic interest in public affairs, a member of the Presbyterian Church, a straight shooter—always saying just what he thought about matters in which he was interested; now, therefore, be it

Resolved, That in the death of Mr. Cowan the State has lost a useful public servant, the city and county a splendid-spirited citizen, and the family a devoted husband and father; and be it further

Resolved, That this resolution be printed in the daily House Journal in a page set apart for that purpose, a copy signed by the Speaker and the Chief Clerk be furnished his family, and when the House adjourns today it do so out of respect to his memory.

FINLAY,
DAVIS,
KING,
VEATCH,
PETSCH,
STEVENSON,
GRAVES of Williamson.

The resolution was read second time, and was adopted by a rising vote.